IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS WICHITA FALLS DIVISION

JAMES WILLIS TAYLOR,	§	
TDCJ No. 884222,	§	
	§	
Petitioner,	§	
	§	
V.	§	Civil Action No. 7:19-cv-098-O-BP
	§	
LORIE DAVIS, Director,	§	
Texas Department of Criminal Justice,	§	
Correctional Institutions Division,	§	
	§	
Respondent.	8	

ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE AS MODIFIED HEREIN

The United States Magistrate Judge has entered his Findings, Conclusions, and Recommendation. ECF No. 5. Petitioner did not file objections. The Magistrate Judge recommends that this habeas action be dismissed without prejudice as successive. *See id.* The District Court reviewed the Findings, Conclusions, and Recommendation for plain error. Finding no error, I am of the opinion that the findings of fact, conclusions of law, and reasons for dismissal set forth in the Magistrate Judge's Recommendation are correct and they are hereby adopted and incorporated by reference as the Findings of the Court.

The Court notes that Petitioner's previous motion for leave to file a successive habeas petition was denied by the United States Court of Appeals for the Fifth Circuit. *See In re Taylor*, No. 06-10328 (5th Cir. 2006). The Court further notes that Petitioner has a second motion for leave to file a successive habeas petition currently pending with the Fifth Circuit. *See In re Taylor*, No. 19-1173 (5th Cir.).

For the foregoing reasons, this action is **DISMISSED** as successive, but without prejudice to Petitioner's right to seek leave to file a successive petition from the United States Court of Appeals for the Fifth Circuit.

SO ORDERED this 1st day of November 2019.

Reed O'Connor

UNITED STATES DISTRICT JUDGE